



AF  
JFW

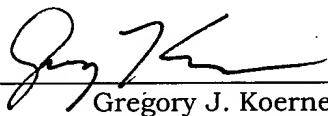
**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Raverdy et al.  
APP. NO.: 09/904,394  
FILED: July 12, 2001  
TITLE: System And Method For Effectively Providing  
User Information From A User Device  
EXAMINER: Hussein A. El-chanti  
ART UNIT: 2157  
ATTY DKT NO: 50P4431/1597

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date printed below:

Dated: 10/12/06

  
\_\_\_\_\_  
Gregory J. Koerner

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This Response to Notification is being submitted in response to the  
Notification of Non-Compliant Appeal Brief mailed on September 22, 2006.

Amended Appeal Brief

Applicants have previously submitted an amended Appeal Brief of 29 pages with an Evidence Appendix (9) to indicate "None," and a Related Proceedings Appendix (10) to also indicate "None" both found on page 29 of the amended Brief. Applicants have received a stamped confirmation postcard back from the USPTO as proof of receipt by the USPTO of the prior amended Appeal Brief. Applicants submit herewith a copy of the stamped confirmation postcard. The Examiner has indicated that page 29 of the amended Appeal Brief has not been scanned by the USPTO, and that, in light of Applicants' stamped confirmation postcard, the USPTO has apparently misplaced page 29 of the amended Brief.

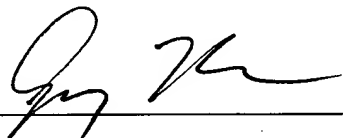
However, in accordance with the Examiner's instructions, and in order to respond fully to the present Notification of Non-Compliant Appeal Brief, Applicants herewith submit the attached copy of the previously-submitted amended Appeal Brief. In the amended Appeal Brief, Applicants have added an Evidence Appendix (9) to indicate "None," and added a Related Proceedings Appendix (10) to also indicate "None." Applicants therefore submit that the informalities indicated on the Notification of Non-Compliant Appeal Brief have been addressed in the amended Appeal Brief.

Respectfully Submitted,

Date: \_\_\_\_\_

10/12/06

By: \_\_\_\_\_



Gregory J. Koerner  
Registration No. 38,519  
Redwood Patent Law  
1291 East Hillsdale Boulevard, Suite 205  
Foster City, California 94404  
(650) 358-4000



**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Raverdy et al.  
APP. NO.: 09/904,394  
FILED: July 12, 2001  
TITLE: System And Method For Effectively Providing  
User Information From A User Device  
EXAMINER: Hussein A. El-chanti  
ART UNIT: 2157  
ATTY DKT NO: 50P4431/1597

---

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date printed below:

Dated: 10/12/06

  
\_\_\_\_\_  
Gregory J. Koerner

---

**APPEAL BRIEF**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The following Appeal Brief is submitted in an appeal from the Final Office Action of January 30, 2006 in the above-referenced Patent Application.

(1) Real parties in interest

The real parties in interest in the above-referenced patent application are Sony Corporation, a Japanese corporation with offices in Tokyo, Japan, and Sony Electronics Inc., a Delaware corporation with offices in New Jersey.

(2) Related appeals and interferences

To the present knowledge of Appellants' legal representative, there are currently no related appeals or interference proceedings in progress which will directly affect, or be directly affected by, or have a bearing on the Board's decision in the present Appeal.

(3) Status of Claims

Claims 46 and 52 stand rejected under 35 U.S.C. § 112, second paragraph, and claims 45-61 stand rejected under 35 U.S.C. § 102(e). Claims 1-44 have been cancelled. The rejections of claims 46 and 52 under 35 U.S.C. § 112, second paragraph, and the rejections of claims 45-61 under 35 U.S.C. § 102(e) are being appealed.

(4) Status of Amendments

On January 30, 2006, a Final Office Action in the present Application was mailed to Applicants' Representative. In response, on April 28, 2006, the Applicants filed a Notice of Appeal in the present Application.

(5) Summary of Claimed Subject Matter

In accordance with one embodiment of the present invention, an electronic system 110 may include, but is not limited to, a user device 114, a base station 122, a local area network (LAN) 130, an event server 138, and an Internet network 150. The user device 114 may be implemented as any appropriate type of electronic device. For example, the user device 114 may be configured as a portable wireless telecommunications device.

In certain embodiments, the user device 114 communicates bidirectionally with the base station 122 which may include a radio-frequency transceiver system to transmit and receive wireless communications to and from the user device 114. The base station 122 may be coupled to the LAN 130 which is implemented at a particular event location.

During the utilization of the foregoing embodiment, a system user may utilize a profile creator 812 from a profile module 324 of the user device 114 to create one or more profiles 412 related to the system user. The profiles 412 may include, but are not limited to, a real user profile 1012, a device profile 1016, a network profile 1020, a personality profile 1024, and a character profile 1028.

The user device 114 may store the created profiles locally into a device memory 216. The system user may also utilize the profile creator 812 to subsequently edit or modify any existing profiles 412.

Next, the system user may utilize a login/configuration module 320 of the user device 114 to perform a login procedure for gaining restricted access to the event server 138. During the login procedure, the user device 114 may provide an appropriate device profile 1016 to the event server 138 for identifying various specific configurations and functionalities of the user device 114. In certain embodiments, the user device 114 may also provide an appropriate network profile 1020 to the event server 138. In response, the event server 138 may optimize community services and community content that is directed towards the particular system user and user device 114.

Following the foregoing login procedure, the system user may utilize the user device 114 to select access to a particular community service on the event server 138. In accordance with the present invention, the community service may be related to a specified event location or may be directed towards a particular user community. The system user may then determine whether to submit a personality profile 1024 or a character profile 1028 from the user device 114 to the event server 138.

If the user device 114 contains no personality profiles 1024 or character profiles 1028 that are appropriate for the selected community service on the event server 138, then the system user may utilize the user device 114 to create an

appropriate personality profile 1024 or character profile 1028, or alternately select a different service on the event server 138.

The system user may advantageously utilize a profile selector 816 from the user device 114 to select and send an appropriate personality profile 1024 or character profile 1028 to the event server. If the system user selects and sends an appropriate personality profile 1024 or character profile 1028 to the event server 138, then the system user may effectively utilize the selected community service on the event server 138 in conjunction with a related event location or user community.

Alternately, the system user may create and send a profiles request to the event server 138 to request various types of users information 618 including information from various selectable profiles 412 of other system users in the electronic system 110. The event server 138 may responsively provide the requested users information 618 and other related information from a community database or other appropriate source to the user device 114.

The system user may then utilize a profile analyzer 820 from the user device 114 to perform a profile information analysis procedure upon the requested users information 618. The system user may then make an informed decision to select and send an appropriate personality profile 1024 or character profile 1028 to the event server 138. Alternately, the system user may utilize the profile creator 812 to create a new personality profile 1024 or character profile 1028, or may edit an existing personality profile 1024 or character profile 1028 for transmission to the

event server 138. The present invention thus provides an improved a system and method for effectively providing user information 618 from a user device 114.

Independent claim 45 recites “receiving a plurality of logon requests at a server that offers at least one service associated with an entertainment event, . . . each logon request comprising device profile information associated with the portable electronic device making the logon request, each logon request further comprising user profile information associated with the person using the portable electronic device making the logon request.” The foregoing subject matter is discussed in the Specification, for example, at page 24, line 11, through page 28, line 17 (FIGS. 10 and 11).

Claim 45 further recites “using the server to provide logon data to each portable electronic device making one of the logon requests, the logon data enabling each logged on portable electronic device to access each service offered by the server.” The foregoing subject matter is discussed in the Specification, for example, at page 22, line 23, to page 23, line 30.

Claim 45 also recites “receiving, during the event, from at least a portion of the portable electronic devices logged on the server, feedback information associated with a particular service offered by the server, the feedback being input to the logged on portable electronic devices by persons attending the event.” The foregoing subject matter is discussed in the Specification, for example, at page 23, lines 13-17.

Independent claim 49 recites “receiving a plurality of logon requests at a



server that provides a plurality of services . . . , each logon request also comprising device profile information associated with the portable electronic device making the logon request.” The foregoing subject matter is discussed in the Specification, for example, at page 24, line 11, through page 28, line 17 (FIGS. 10 and 11).

Claim 49 further recites “analyzing the user profiles associated with the persons using portable electronic devices logged on the server to identify at least one common user characteristic” and “automatically grouping at least a portion of the persons using logged on portable electronic devices into a user community . . . .” The foregoing subject matter is discussed in the Specification, for example, at page 20, lines 11-29.

Claim 49 additionally recites “automatically offering a particular one of the services to each person in the user community, the service offered being based on at least one of the common user characteristics that define the user community.” The foregoing subject matter is discussed in the Specification, for example, at page 22, line 23, to page 23, line 30.

Claim 49 also recites “receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service.” The foregoing subject matter is discussed in the Specification, for example, at page 23, lines 13-17.

Independent claim 52 recites “receiving information from a plurality of

portable electronic devices operated by persons physically attending an entertainment event, the event being at a particular location.” The foregoing subject matter is discussed in the Specification, for example, at page 24, line 11, through page 28, line 17 (FIGS. 10 and 11).

Claim 52 further recites “analyzing the received information to identify at least one common characteristic shared by at least a portion of the persons operating the portable electronic devices” and “grouping persons who share the or each common characteristic into a user community.” The foregoing subject matter is discussed in the Specification, for example, at page 20, lines 11-29.

Claim 52 additionally recites “grouping persons who share the or each common characteristic into a user community” and “offering a service to the persons in the user community . . . .” The foregoing subject matter is discussed in the Specification, for example, at page 22, line 23, to page 23, line 30. Claim 52 also recites “receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service.” The foregoing subject matter is discussed in the Specification, for example, at page 23, lines 13-17.

(6) Grounds Of Rejection To Be Reviewed Upon Appeal

- I. Claims 46 and 52 stand rejected under 35 U.S.C. § 112, second paragraph.
- II. Claims 45-61 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No 6,772,213 to Glorikian.

(7) Argument

I. 35 U.S.C. §112, Second Paragraph

In paragraph 2 of the Final Office Action, the Examiner indicates that claims 46 and 52 are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner cites claim language that states “the user community being defined by the or each identified common user characteristic”. Applicants respectfully traverse these rejections.

Claim 46 first recites “at least one common user characteristic”. Claim 46 then recites “the or each common user characteristic”. The words “the . . . common user characteristic” refer to the situation in which there is a single user characteristic. The words “each common user characteristic” refer to the situation in which there are more than one user characteristic. Therefore, in a situation in which there is “at least one”, the words “the or each” properly refer to both single and multiple user characteristics. The foregoing remarks apply equally to claim 52. In view of the foregoing remarks, Applicants believe that

the Examiner's rejections are addressed, and respectfully request that the rejections under 35 U.S.C. §112, second paragraph, be withdrawn.

II. 35 U.S.C. § 102(e)

In paragraph 3 of the Final Office Action, the Examiner rejects claims 45-61 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,772,213 to Glorikian (hereafter Glorikian). The Applicants respectfully traverse the rejections of claims 45-65 for at least the following reasons.

It is established that, "for a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be *identically* shown in a single reference" (emphasis added). *Diversitech Corp. v. Century Steps, Inc.*, 7 USPQ2d 1315, 1317 (CAFC 1988). The Applicants submit that Glorikian fails to identically teach every element of the claims and therefore does not anticipate the present invention.

(A). Independent Claim 45

Glorikian teaches a system for delivering information related to stationary exhibits to a user device based upon the current location of the user device (see column 2, lines 18-54). Glorikian also mentions utilizing time and user's interests as other factors to potentially consider for providing the information. However, currently-rejected independent claim 45 recites "*each logon request comprising device profile information associated with the portable*

*electronic device making the logon request . . .” (emphasis added).*

The Examiner cites column 16, line 56, to column 17, line 37, and column 18, lines 13-41, of Glorikian in support of the rejection of claim 45. The cited passage of Glorikian discusses providing information to a visitor at an “exhibit site” such as “the Metropolitan Museum of Art” based upon the current location of the visitor in the exhibit site (column 16, lines 60-67).

However, Applicants submit that Glorikian nowhere teaches providing “device profile information” with configuration and functionality information corresponding to a particular portable electronic device, as claimed by Applicants. Applicants further submit that Glorikian fails to teach such device profile information that is provided as part of a “logon request”, as claimed by Applicants.

In addition, currently-rejected independent claim 45 recites receiving *“feedback information associated with a particular service offered by the server, the feedback being input to the logged on portable electronic devices by persons attending the event”* (emphasis added). Applicants submit that column 16, line 56, to column 17, line 37, and column 18, lines 13-41 of Glorikian fails to teach “feedback information” that is “associated with a particular service”, and is input into portable electronic devices “by persons attending the event,” as claimed by Applicants.

Applicants therefore submit that the foregoing limitations of independent claim 45 are not taught or suggested either by the cited reference, or by the

Examiner's citations thereto. For at least the foregoing reasons, Applicants submit that the rejection of independent claim 45 under 35 U.S.C. 102(e) is improper.

(B). Dependent Claim 46

The Examiner cites column 11, line 58 to column 12, line 3, of Glorikian in support of the rejection of claim 46. The cited passage of Glorikian discusses using a “hosted service” to provide information to visitors at “large exhibitions” (column 11, lines 60-65). However, Applicants submit that Glorikian nowhere discloses “*analyzing the user profiles associated with the persons using portable electronic devices logged on the server*” and then responsively “*automatically grouping at least a portion of the persons using logged on portable electronic devices into a user community . . .*,” as claimed by Applicants (emphasis added). In particular, Applicants submit that Glorikian fails to teach automatically analyzing user profiles while the portable devices are “logged on the server” and then “automatically grouping” certain users of the logged-on portable devices into a user community based upon “at least one common user characteristic,” as claimed by Applicants. For at least the foregoing reasons, Applicants request reconsideration of the rejection of claim 46.

(C). Dependent Claims 47, 50, and 53

The Examiner cites column 7, line 60 to column 8, line 50, of Glorikian in support of the rejections of claims 47, 50, and 53. The cited passage of Glorikian discusses electronically providing information to a visitor at an “indoor exhibiting site” (column 8, lines 19-34). However, Applicants submit that Glorikian nowhere teaches targeting “*streaming content*” to a specific portable device based upon “feedback information” received from that specific portable device, as claimed by Applicants. For at least the foregoing reasons, Applicants request reconsideration of the rejections of claims 47, 50, and 53.

(D). Dependent Claims 48, 51, and 54

The Examiner cites column 11, line 58 to column 12, line 3, of Glorikian in support of the rejections of claims 48, 51, and 54. The cited passage of Glorikian discusses using a “hosted service” to provide information to visitors at “large exhibitions” (column 11, lines 60-65). In particular, Glorikian provides information to visitors based upon “the location of the travelers using the hosted service” (column 11, lines 61-61).

In contrast, Applicants disclose and claim logon requests that “*each comprise the particular location of the entertainment event*” (emphasis added). Applicants submit that Glorikian utilizes the location of visitors at an exhibition, but nowhere teaches utilizing the location of an particular entertainment event, as claimed by Applicants. For at least the foregoing

reasons, Applicants request reconsideration of the rejections of claim 48, 51, and 54.

(E). Independent Claim 49

The Examiner cites column 16, line 56, to column 17, line 37, and column 18, lines 13-41, of Glorikian in support of the rejection of claim 49. The cited passage of Glorikian discusses providing information to a visitor at an “exhibit site” such as “the Metropolitan Museum of Art” based upon the current location of the visitor in the exhibit site (column 16, lines 60-67).

Independent claim 49 recites “*each logon request also comprising device profile information associated with the portable electronic device making the logon request*” (emphasis added). Applicants submit that Glorikian nowhere teaches providing “device profile information” with configuration and functionality information corresponding to a particular portable electronic device, as claimed by Applicants. Applicants further submit that Glorikian fails to teach such device profile information that is provided as part of a “logon request”, as claimed by Applicants.

In addition, currently-rejected independent claim 49 recites “*receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service*” (emphasis added). Applicants submit that column 16, line 56, to column 17, line 37, and column 18, lines 13-41 of Glorikian fail to teach



“feedback information associated with the offered service,” as claimed by Applicants.

Furthermore, Glorikian nowhere discloses “*analyzing the user profiles associated with the persons using portable electronic devices logged on the server* . . .” and responsively “*automatically grouping at least a portion of the persons using logged on portable electronic devices into a user community* . . . ,” as claimed by Applicants (emphasis added). In particular, Applicants submit that Glorikian fails to teach automatically analyzing user profiles while the portable devices are “logged on the server” and then “automatically grouping” certain users of the logged-on portable devices into a user community based upon “at least one common user characteristic,” as claimed by Applicants.

Applicants therefore submit that the foregoing limitations of independent claim 49 are not taught or suggested either by the cited reference, or by the Examiner’s citations thereto. For at least the foregoing reasons, Applicants submit that the rejection of independent claim 49 under 35 U.S.C. 102(e) is improper.

(F). Independent Claim 52

The Examiner cites column 7, line 60 to column 8, line 50, column 16, line 56, to column 17, line 37, and column 18, lines 13-41, of Glorikian in support of the rejection of claim 52. The cited passage of Glorikian discusses providing information to a visitor at an “exhibit site” such as “the Metropolitan

Museum of Art” based upon the current location of the visitor in the exhibit site (column 16, lines 60-67). In particular, one of the cited passages discusses electronically providing information to a visitor at an “indoor exhibiting site” (column 8, lines 19-34).

Claim 52 recites “analyzing the received information to identify at least one common characteristic shared by at least a portion of the persons operating the portable electronic devices” and then responsively “grouping persons who share the or each common characteristic into a user community” (emphasis added). Applicants submit that Glorikian fails to teach analyzing information, such as the user profiles, for one or more common characteristics, and then responsively grouping any appropriate users into a defined “user community”, as claimed by Applicants.

In addition, independent claim 52 recites “receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service” (emphasis added). Applicants submit that column 7, line 60 to column 8, line 50, column 16, line 56, to column 17, line 37, and column 18, lines 13-41, of Glorikian fail to teach “feedback information associated with the offered service,” that is received “during the event” as claimed by Applicants.

Applicants therefore submit that the foregoing limitations of independent claim 52 are not taught or suggested either by the cited reference, or by the Examiner’s citations thereto. For at least the foregoing reasons, Applicants

submit that the rejection of independent claim 52 under 35 U.S.C. 102(e) is improper.

(G). Dependent Claim 55

The Examiner cites column 7, line 60 to column 8, line 50, of Glorikian in support of the rejection of claim 55. The cited passage of Gorikian is limited to discussing electronically providing information to a visitor at an “indoor exhibiting site” such as “the Metropolitan Museum of Art in Manhattan” (column 8, lines 19-34). In contrast, claim 55 explicitly recites “*said event is a live event that includes at least one of a movie theater event, a sporting venue event, or a sports bar event” (emphasis added). Applicants respectfully submit that Glorikian nowhere discloses either “a movie theater event, a sporting venue event, or a sports bar event,” as claimed by Applicants. For at least the foregoing reasons, Applicants respectfully request reconsideration of the rejection of claim 55.*

(H). Dependent Claim 56

On page 6 of the Final Office Action, without providing any citation to Glorikian for support, the Examiner states that “Glorikian teaches . . . the portable electronic devices enforcing a strict security protocol to protect the real user profiles . . . including an encryption procedure . . . ,” as claimed by Applicants. Applicants submit that Glorikian nowhere teaches real user

profiles with authentic information related to system users. Applicants further submit that Glorikian fails to teach any sort of “strict security protocol” that includes “an encryption procedure”, as explicitly claimed by Applicants. For at least the foregoing reasons, Applicants request reconsideration of the rejection of claim 56.

(I). Dependent Claim 57

The Examiner cites column 2, lines 46-54, of Glorikian in support of the rejection of claim 57. The cited passage of Gorikian briefly discusses using “time data” and “subscriber interests” for selecting and providing information to users. In contrast, claim 57 recites, “*device profiles with configuration and functionality information for the portable electronic devices, the device profiles being automatically maintained and updated by the portable electronic devices” (emphasis added). Applicants submit that Glorikian nowhere teaches such “device profiles” that are “automatically maintained and updated” by corresponding portable electronic devices. For at least the foregoing reasons, Applicants request reconsideration of the rejection of claim 57.*

(J). Dependent Claim 58

The Examiner cites column 14, lines 14-51, of Glorikian in support of the rejection of claim 58. The cited passage of Gorikian briefly discusses using a “time database dimension” and a “position database dimension” for selecting and

providing information to users. In contrast, claim 58 recites, “*network profiles with configuration and functionality information for an electronic network used by the portable electronic devices, the network profiles being automatically maintained and updated by the portable user devices*” (emphasis added). Applicants submit that Glorikian nowhere teaches such “network profiles” that are “automatically maintained and updated” by corresponding portable electronic devices. For at least the foregoing reasons, Applicants request reconsideration of the rejection of claim 58.

(K).           Dependent Claim 59

The Examiner cites column 14, lines 14-65, of Glorikian in support of the rejection of claim 59. The cited passage of Gorikian briefly discusses using a “personal interest dimension”, a “time database dimension” and a “position database dimension” for selecting and providing information to users. In contrast, claim 59 recites, “*persons creating and locally storing the personality profiles by utilizing the portable electronic devices*” (emphasis added). Applicants submit that Glorikian fails to teach users of portable devices actively creating and locally storing personality profiles by utilizing the portable electronic devices. On the contrary, Glorikian teaches that the tagged databases are remotely stored on an “information server” (see column 12, lines 21-45). For at least the foregoing reasons, Applicants request reconsideration of the rejection of claim 59.

(L). Dependent Claim 60

The Examiner cites column 14, line 65 to column 15, line 17, of Glorikian in support of the rejection of claim 60. The cited passage of Glorikian briefly discusses using “history” as an “interest category” for selecting and providing information to users. In contrast, claim 60 recites, “*character profiles with non-authentic information regarding selected identification characteristics of the persons operating the portable electronic devices, . . . the character profiles including user nicknames*” (emphasis added). Applicants submit that Glorikian nowhere teaches such “character profiles” with “non-authentic information” including “nicknames”. For at least the foregoing reasons, Applicants request reconsideration of the rejection of claim 60.

(M). Dependent Claim 61

The Examiner cites column 2, lines 46-54, of Glorikian in support of the rejection of claim 61. The cited passage of Glorikian is limited to briefly discussing using “time data” and “subscriber interests” for selecting and providing information to users. In contrast, claim 61 recites that “*persons operating the portable electronic devices create and send requests for profiles, wherein the requests for profiles request information from other users, and wherein the information from other users comprises profile information from others of the portable electronic devices*” (emphasis added). Applicants submit that Glorikian nowhere teaches portable device users sending “requests for profiles” from “others of the

portable electronic devices”. For at least the foregoing reasons, Applicants request reconsideration of the rejection of claim 61.

For at least the foregoing reasons, Applicants submit that claims 45-61 are not anticipated by the teachings of Glorikian. Because a rejection under 35 U.S.C. §102 requires that every claimed limitation be *identically* taught by a cited reference, and because the Examiner fails to cite Glorikian to identically teach the claimed invention, Applicants respectfully request reconsideration and allowance of claims 45-61.

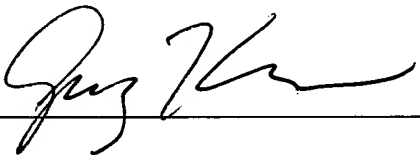
SUMMARY

For all the foregoing reasons, it is earnestly and respectfully requested that the Board of Patent Appeals and Interferences reverse the rejections of claims 45-61, so that the present Application may be allowed and pass to issue in a timely manner.

Respectfully Submitted,

Raverdy et al.

Date: 10/12/06

By: 

Gregory J. Koerner, Esq.  
Registration No. 38,519  
Redwood Patent Law  
1291 East Hillsdale Boulevard, Suite 205  
Foster City, California 94404  
(650) 358-4000



(8) Claims Appendix

Claims 1-44: (Cancelled).

45. A method comprising:

receiving a plurality of logon requests at a server that offers at least one service associated with an entertainment event, the event being at a particular location and being attended by a plurality of persons, each logon request being from a portable electronic device operated by a person physically attending the event, each logon request comprising device profile information associated with the portable electronic device making the logon request, each logon request further comprising user profile information associated with the person using the portable electronic device making the logon request;

in response to the logon requests, using the server to provide logon data to each portable electronic device making one of the logon requests, the logon data enabling each logged on portable electronic device to access each service offered by the server; and receiving, during the event, from at least a portion of the portable electronic devices logged on the server, feedback information associated with a particular service offered by the server, the feedback being input to the logged on portable electronic devices by persons attending the event.

46. The method of claim 45 further comprising:  
analyzing the user profiles associated with the persons using portable electronic devices logged on the server to identify at least one common user characteristic; and  
based on the analyzing, automatically grouping at least a portion of the persons using logged on portable electronic devices into a user community, the user community being defined by the or each identified common user characteristic.
47. The method of claim 45 further comprising:  
providing streaming content to a particular one of the portable electronic devices in response to receiving feedback information from the particular portable electronic device.
48. The method of claim 45, wherein the logon requests each comprise the particular location of the entertainment event.

49. A method comprising:

receiving a plurality of logon requests at a server that provides a plurality of services associated with an entertainment event, the event being at a particular location and being attended by a plurality of persons, each logon request being from a portable electronic device operated by a person physically attending the event, each logon request comprising user profile information associated with the person using the portable electronic device making the logon request, each logon request also comprising device profile information associated with the portable electronic device making the logon request;

analyzing the user profiles associated with the persons using portable electronic devices logged on the server to identify at least one common user characteristic;

based on the analyzing, automatically grouping at least a portion of the persons using logged on portable electronic devices into a user community, the user community being defined by each identified common user characteristic;

automatically offering a particular one of the services to each person in the user community, the service offered being based on at least one of the common user characteristics that define the user community; and

receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service.

50. The method of claim 49 further comprising:  
providing streaming content to a particular one of the portable electronic devices in response to receiving feedback information from the particular portable electronic device.
51. The method of claim 49, wherein the logon requests each comprise the particular location of the entertainment event.
52. A method comprising:  
receiving information from a plurality of portable electronic devices operated by persons physically attending an entertainment event, the event being at a particular location;  
analyzing the received information to identify at least one common characteristic shared by at least a portion of the persons operating the portable electronic devices;  
grouping persons who share the or each common characteristic into a user community;  
offering a service to the persons in the user community, the offering being made via the portable electronic devices operated by the persons in the user community, the service being associated with the event; and  
receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service.

53. The method of claim 52:

wherein the offered service comprises providing streaming content, the streaming content being associated with the entertainment event;  
and

wherein the streaming content is provided to a particular one of the portable electronic devices in response to receiving feedback information from the particular portable electronic device.

54. The method of claim 52, wherein the information received from at least one of the portable electronic devices includes the particular location of the entertainment event.

55. The method of claim 52 wherein said event is a live event that includes at least one of a movie theater event, a sporting venue event, or a sports bar event.

56. The method of claim 52 wherein the information includes one or more real user profiles with authentic information related to system users, the portable electronic devices enforcing a strict security protocol to protect the real user profiles, the strict security protocol including an encryption procedure to encrypt the real user profiles prior to transmitting the real user profiles.

57. The method of claim 52 wherein the information includes one or more device profiles with configuration and functionality information for the portable electronic devices, the device profiles being automatically maintained and updated by the portable electronic devices.

58. The method of claim 52 wherein the information includes one or more network profiles with configuration and functionality information for an electronic network used by the portable electronic devices, the network profiles being automatically maintained and updated by the portable user devices.

59. The method of claim 52 wherein the information includes one or more personality profiles with authentic information regarding selected personal attributes of the persons operating the portable electronic devices, the persons creating and locally storing the personality profiles by utilizing the portable electronic devices.

60. The method of claim 52 wherein the information includes one or more character profiles with non-authentic information regarding selected identification characteristics of the persons operating the portable electronic devices, the persons creating and locally storing the character profiles by utilizing the portable electronic devices, the character profiles including user nicknames.

61. The method of claim 52 wherein one or more of the persons operating the portable electronic devices create and send requests for profiles, wherein the requests for profiles request information from other users, and wherein the information from other users comprises profile information from others of the portable electronic devices.

(9) Evidence Appendix: None.

(10) Related Proceedings Appendix: None.



Serial No.: 09/904,394 Filing Date: July 12, 2001  
Title: System And Method For Effectively Providing...  
Inventor(s) / Applicant(s): Raverdy et al.  
Atty Docket No.: 52P4431/1597 Atty / Secty Initials: GJK/nmk  
Date Mailed: August 9, 2006 Docket Due Date: \_\_\_\_\_  
**THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT & TRADEMARK  
OFFICE ON THE DATE STAMPED HEREON:**  
☐ Amendment / Response: \_\_\_\_\_ pgs.  
☐ Assignment & Assignment Cover Sheet  
☒ Certificate of Mailing  
☐ Credit Card Form for: \$ \_\_\_\_\_  
☐ CIP Application  
☐ Continuation Application  
☐ Declaration & POA  
☐ Divisional Application  
☐ Drawings: \_\_\_\_\_ # of sheets incl. \_\_\_\_\_ figs.  
☐ Express Mail No.: \_\_\_\_\_  
☐ Fee Calculation Sheet  
☐ Information Disclosure Statement  
☐ Issue Fee Transmittal  
☒ Other: Response to Notification of Non-Compliant Appeal Brief  
Amended Appeal Brief (29 pages), Notification Copy.  
**PLEASE STAMP THE DATE OF RECEIPT OF THE ENCLOSED DOCUMENTS AND  
RETURN THIS CARD TO THE ADDRESSEE**

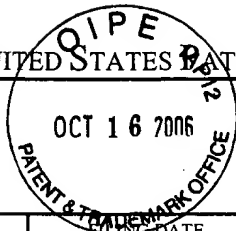


*uspto-  
Copy of prior stamped  
Confirmation Portcard*





# UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,394	07/12/2001	Pierre-Guillaume Raverdy	50P4431/1597	1600

24272 7590 09/22/2006

Gregory J. Koerner  
Redwood Patent Law  
1291 East Hillsdale Boulevard  
Suite 205  
Foster City, CA 94404

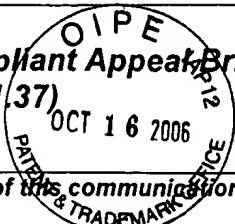
EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliant Appeal Brief**  
**(37 CFR 41.37)**



Application No.

09/904,394

Applicant(s)

RAVERDY ET AL.

Examiner

Hussein A. El-chanti

Art Unit

2157

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 14 August 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH** or **THIRTY DAYS** from the mailing date of this Notification, whichever is longer.  
**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☒ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and **relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☒ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☐ Other (including any explanation in support of the above items):

**ARIO ETIENNE**

**ADVISORY PATENT EXAMINER**

RECEIVED 2100